

Notice of Allowability

Application No.

09/589,200

Examiner

Qamrun Nahar

Applicant(s)

THOMPSON ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 12/21/2007.
2. ☒ The allowed claim(s) is/are 1-24, 26-27 and 29, renumbered 1-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 5/11/2008
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This action is in response to the amendment filed on 12/21/2007.
2. The rejection on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 09/739,317 in view of Ernst (U.S. 5,890,133) to claims 1-29 is withdrawn in view of terminal disclaimer filed in later filed application No. 09/739,317.
3. The rejection under 35 U.S.C. 103(a) as being unpatentable over S. Jablonski, "On the Complementarity of Workflow Management and Business Process Modeling", 1995 (hereinafter "Jablonski") in view of Schmidt, et al. "Extending Aspect-Oriented Programming in order to Flexibly Support Workflows", 1998 (hereinafter "Schmidt") to claims 1-29 is withdrawn in view of applicant's amendment and Examiner's Amendment below.
4. Claims 1-29 have been amended.
5. Claims 1, 10, 26 and 29 have been amended (See Examiner's Amendment below).
6. Claims 25 and 28 have been canceled (See Examiner's Amendment below).
7. Claims 1-24, 26-27 and 29 are pending.
8. Claims 1-24, 26-27 and 29 are allowed, renumbered 1-27.

Drawings

9. The drawings were received on 06/08/2000. These drawings are acceptable.

EXAMINER'S AMENDMENT

10. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Raymond Y. Mah (Reg. No. 41,426) on January 31, 2008.

The application has been amended as follows:

In the Claims:

Please cancel 25 and 28; and

Please amend 1, 10, 26 and 29 as follows:

1. (Currently Amended) A method of generating a process plan comprising:
 - i) storing at least one generic process pattern, wherein the at least one generic process pattern defines a core process that must be executed in order to achieve a type of goal, wherein the core process is a partially ordered process which includes process steps, which are obligatory to achieve the type of goal;
 - ii) storing at least one process aspect containing a predetermined pattern, wherein the at least one process aspect defines at least one context dependent process step that is carried out in order to achieve a particular goal;
 - iii) searching said at least one generic process pattern for the predetermined pattern

- contained by the at least one process aspect,
- iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and
 - v) outputting the generated process plan,
- wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect introduces a new process step into the generic process pattern.

10. (Currently Amended) Apparatus for use in generating a process plan, the apparatus comprising:

- i) a generic process pattern [[store]] storage device that stores at least one generic process pattern, wherein the at least one generic process pattern defines a core process that must be executed in order to achieve a type of goal, wherein the core process is a partially ordered process which includes process steps, which are obligatory to achieve the type of goal,
- ii) a process aspect [[store]] storage device that stores at least one process aspect containing a predetermined pattern, wherein the at least one process aspect defines at least one context dependent process step that is carried out in order to achieve a particular goal,
- iii) means for searching the at least one generic process [[plan]] pattern for the at least one predetermined pattern contained in the at least one process aspect,
- iv) means for inserting content from said at least one process aspect into the

generic process pattern on detection of the predetermined pattern so as to generate a process plan, and

v) an output for generated process plans,

wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect introduces a new process step into the generic process pattern.

25. (Canceled)

26. (Currently Amended) A method of generating a process plan comprising:

- i) storing at least one generic process pattern, wherein the at least one generic process pattern defines a core process that must be executed in order to achieve a type of goal, wherein the core process is a partially ordered process which includes process steps, which are obligatory to achieve the type of goal;
- ii) storing at least one process aspect containing a predetermined pattern, wherein the at least one process aspect defines at least one context dependent process step that is carried out in order to achieve a particular goal;
- iii) searching said at least one generic process pattern for the predetermined pattern contained by the at least one process aspect,
- iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and
- v) outputting the generated process plan,

wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and ~~A method as in claim 1, wherein said instruction coded into each of~~ content inserted from said at least one process aspect advises an existing process ~~[[steps]]~~ step in said generic process pattern.

28. (Canceled)

29. (Currently Amended) Apparatus for use in generating a process plan, the apparatus comprising:

- i) a generic process pattern storage device that stores at least one generic process pattern, wherein the at least one generic process pattern defines a core process that must be executed in order to achieve a type of goal, wherein the core process is a partially ordered process which includes process steps, which are obligatory to achieve the type of goal,
- ii) a process aspect storage device that stores at least one process aspect containing a predetermined pattern, wherein the at least one process aspect defines at least one context dependent process step that is carried out in order to achieve a particular goal,
- iii) means for searching the at least one generic process pattern for the at least one predetermined pattern contained in the at least one process aspect,
- iv) means for inserting content from said at least one process aspect into the generic process pattern on detection of the predetermined pattern so as to generate

a process plan, and
v) an output for generated process plans,
wherein an instruction coded into each of the at least one process aspect determines how
content is merged from the process aspect into the generic process pattern at runtime of
the generic process pattern and ~~An apparatus as in claim 10, wherein said instruction~~
~~coded into each of~~ content inserted from said at least one process aspect advises an
existing process ~~[[steps]]~~ step in said generic process pattern.

- END -

REASONS FOR ALLOWANCE

11. The following is an examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, iii) searching said at least one generic process pattern for the predetermined pattern contained by the at least one process aspect, iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and v) outputting the generated process plan, wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect introduces a new process step into the generic process pattern as substantially recited in independent claims 1 and 10; and further fail to teach iii) searching said at least one generic process pattern for the predetermined pattern contained by the at least one

process aspect, iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and v) outputting the generated process plan, wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect advises an existing process step in said generic process pattern as substantially recited in independent claims 26 and 29.

The closest cited prior arts, the combination of Jablonski and Schmidt teaches a method of generating a process plan. However, the combination of Jablonski and Schmidt fails to teach iii) searching said at least one generic process pattern for the predetermined pattern contained by the at least one process aspect, iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and v) outputting the generated process plan, wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect introduces a new process step into the generic process pattern as substantially recited in independent claims 1 and 10; and further fail to teach iii) searching said at least one generic process pattern for the predetermined pattern contained by the at least one process aspect, iv) on detection of the predetermined pattern, inserting content from said at least one process aspect into the generic process pattern to generate a process plan and v) outputting the generated process plan, wherein an instruction coded into each of the at least one process aspect determines how content is merged from the process aspect into

the generic process pattern at runtime of the generic process pattern and said content inserted from said at least one process aspect advises an existing process step in said generic process pattern as substantially recited in independent claims 26 and 29; and as pointed out by the applicant's remarks/arguments on pg. 10, par. 2 to pg. 11, par. 3.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

12. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Qamrun Nahar
January 31, 2008

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